

Judge Tana Lin

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$137,059 IN U.S. CURRENCY AND ANY  
ACCRUED INTEREST,

ONE 2006 BENTLEY CONTINENTAL  
4D FLYING SPUR, VIN NUMBER  
SCBBR53WX6C035151,

and

ASSORTED JEWELRY SEIZED ON  
APRIL 7, 2021 FROM VARIOUS  
LOCATIONS WITHIN THE RESIDENCE  
AT 10700 NE 4<sup>th</sup> ST., #2016,  
BELLEVUE, WA, 98004,

Defendants,

and

CARLOS R. DANIELS,

Claimant.

CASE NO. C21-1306-TL

**SETTLEMENT AGREEMENT  
AND FINAL ORDER OF  
FORFEITURE**

WHEREAS Plaintiff, the United States of America, by and through Nicholas W. Brown, United States Attorney for the Western District of Washington, and Krista K. Bush, Assistant United States Attorney, and Claimant Carlos R. Daniels (hereinafter “Claimant”), by and through his counsel, Richard J. Troberman, wish to resolve this matter without additional utilization of judicial resources and without incurring further litigation expenses,

IT IS HEREBY STIPULATED as follows:

On April 7, 2021, law enforcement agents executed a search warrant for a residence and several vehicles associated with Claimant at 10700 NE 4<sup>th</sup> Street, #2016, Bellevue, Washington 98004 (“Claimant’s residence”). Agents seized, *inter alia*, a substantial amount of United States currency, numerous items of jewelry, and several vehicles. Agents also seized a Beretta Pistol Model PX4 Storm, Serial #PZ31605, and associated ammunition which are subject to forfeiture in a related criminal case, *United States v. Carlos Romallis Daniels*, CR21-069-RSM (the “Related Case”), and not at issue in this civil case.

On September 24, 2021, the United States commenced this action by filing a Verified Complaint for Forfeiture *in Rem*, seeking forfeiture of items seized from Claimant’s residence on April 7, 2021 (the “Defendant Property”) pursuant to 21 U.S.C. § 881(a)(6), for alleged violations of 21 U.S.C. §§ 841(a)(1) and 846. Dkt. No. 1.

On October 21, 2021, Claimant timely filed a Claim to the Defendant Property through his attorney of record, Richard J. Troberman. Dkt. No. 7.

On November 2, 2021, the parties filed a Joint Motion to Stay Civil Forfeiture Proceeding pursuant to 21 U.S.C. §§ 981(g)(1) and (g)(2). Dkt No. 9. On November 3, 2021, the Court granted the Motion to Stay. Dkt. No. 10.

On December 13, 2021, the matter was reassigned to this court.

All persons and entities believed to have an interest in the Defendant Property were given proper notice of the intended forfeiture. No other claimants have come forward to assert an interest in the forfeited property, and the time for doing so has expired.

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1 NOW THEREFORE, this SETTLEMENT AGREEMENT is entered into between the  
2 parties pursuant to the following terms:

3 1. The parties acknowledge that this Settlement Agreement is made as a  
4 compromise of a disputed claim without adjudication of any issue of fact or law. The parties  
5 further acknowledge and agree that this settlement shall not be deemed to constitute an  
6 admission by Claimant of fault, liability, or wrongdoing as to any facts or claims alleged or  
7 asserted in the Verified Complaint for Forfeiture and shall not be construed to create rights  
8 in, or grant any cause of action to, any third party not covered by this Settlement Agreement.

9 2. The United States agrees to dismiss from this action and return to Claimant the  
10 following property described in Paragraphs 11 and 13 of the Verified Complaint for  
11 Forfeiture:

- 12 a. One 14K gold Jesus head pendant with bead set round diamonds (¶ 13a);
- 13 b. One 14K white gold chain with enamel, lapis and diamond pendant (¶ 13e);
- 14 c. One 14K white gold bracelet with pave set round diamonds (¶ 13h);
- 15 d. One 14K white gold thick chain (¶ 13i); and
- 16 e. \$9,559.00 of \$137,059 in United States Currency (¶ 11a and c).

17 3. Claimant recognizes that the Debt Collection Improvement Act of 1996, 31  
18 U.S.C. §3716, which is administered by the Treasury Offset Program (“TOP”), requires the  
19 United States Treasury to offset federal payments to collect certain delinquent debts owed to  
20 the United States by a payee. Claimant recognizes, therefore, that the currency identified in  
21 paragraph 2 for return to him may be reduced by the amount of any delinquent debt TOP is  
22 required to collect.

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4. Claimant agrees to withdraw his claims to, and consents to the forfeiture of, the following property described in Paragraphs 11, 13 and 15 of the Verified Complaint for Forfeiture:

- a. \$127,500.00 of \$137,059 in United States Currency (§ 11a and b), and accrued interest;
- b. One 2006 Bentley Continental 4D Flying Spur, VIN SCBBBR53WX6035151 (§ 15);
- c. One Versace black ceramic watch (§ 13b);
- d. Three 14K yellow gold earrings, 2 pieces of cubic zirconia and one 14K white gold earring with cubic zirconia (§ 13c);
- e. One pair of round earrings with cubic zirconia stone white (§ 13d);
- f. One 14K white gold earring with 7 round diamonds set in flower style (§ 13f);
- g. Three G-Shock Casio watches (§ 13g);
- h. One 14K yellow gold bracelet (§ 13j);
- i. One 14K yellow gold single earring set with Ascher cut moissanite (§ 13k); and
- j. One pair of 14K white gold with black rhodium plated earrings set with black diamonds (§ 13l).

5. Claimant's withdrawal of his claims to, and his consent to forfeiture of, the property set forth in Paragraph 4(a) through (j) above shall be in full and complete settlement and satisfaction of all civil forfeiture issues relating to the property seized from Claimant's residence on April 7, 2021.

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6. Claimant waives any and all right to reimbursement by the United States of attorney fees and/or litigation costs in connection with this action pursuant to 28 U.S.C. § 2465 or any other statute. The Parties agree that, pursuant to the terms of this Settlement Agreement, neither Claimant nor the United States is a “prevailing party” for the purpose of seeking additional attorney fees and/or costs pursuant to statute, case law, or agreement, or on any other compensation. Each party to this Settlement Agreement is to bear its own costs and attorneys’ fees.

7. Claimant agrees to release and hold harmless the United States, its agents, servants, and employees (and any involved state or local law enforcement agencies and their agents, servants, or employees), in their individual or official capacities, from any and all claims Claimant, or his representatives or agents, may possess, or that may arise, as a result of the seizure of the above-identified property and the subsequent forfeiture proceeding, including any claims for interest or attorney’s fees.

8. The Parties agree this Settlement Agreement is subject to review and approval by the Court, as provided in the proposed Order submitted below.

9. Upon entry of this Settlement Agreement and Final Order of Forfeiture, this action shall be DISMISSED WITH PREJUDICE and closed, and the property identified in paragraph 2a-e shall be returned to Claimant within 60 days of entry of the Order.

Respectfully submitted,

NICHOLAS W. BROWN  
United States Attorney

DATED: June 27, 2022

s/Krista K. Bush

KRISTA K. BUSH  
Assistant United States Attorney  
700 Stewart Street, Suite 5220  
Seattle, WA 98101-1271  
206-553-2242  
Krista.Bush@usdoj.gov

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3 DATED: May 17, 2022

s/Richard J. Troberman

RICHARD J. TROBERMAN

Attorney for Claimant

520 Pike Street, Suite 2500

Seattle, WA 98101-1385

206-343-1111

tmanlaw@aol.com

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10 DATED: May 17, 2022

s/Carlos R. Daniels

CARLOS R. DANIELS

Claimant

**ORDER**

The foregoing Settlement Agreement is hereby approved under the terms and conditions set forth above.

The following property seized from Claimant's residence at 1077 NE 4th Street, #2016, Bellevue, Washington on April 7, 2021, is FORFEITED to the United States:

- a. \$127,500.00 in United States Currency;
- b. One 2006 Bentley Continental 4D Flying Spur, VIN SCBBBR53WX6035151;
- c. One Versace black ceramic watch;
- d. Three 14K yellow gold earrings, 2 pieces of cubic zirconia and one 14K white gold earring with cubic zirconia;
- e. One pair of round earrings with cubic zirconia stone white;
- f. One 14K white gold earring with 7 round diamonds set in flower style;
- g. Three G-Shock Casio watches;
- h. One 14K yellow gold bracelet ;
- i. One 14K yellow gold single earring set with Ascher cut moissanite; and
- j. One pair of 14K white gold with black rhodium plated earrings set with black diamonds.

The following property seized from Claimant's residence at 10700 NE 4th Street, #2016, Bellevue, Washington on April 7, 2021, shall be returned to Claimant within 60 days of entry of this Order:

- a. One 14K gold Jesus head pendant with bead set round diamonds;
- b. One 14K white gold chain with enamel, lapis and diamond pendant;
- c. One 14K white gold bracelet with pave set round diamonds;
- d. One 14K white gold thick chain; and
- e. \$9,559 in United States Currency.

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1 Pursuant to this agreement, the Court hereby DISMISSES this action, WITH  
2 PREJUDICE.

3 IT IS ORDERED.

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5 DATED this 29th day of June 2022.

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10 Tana Lin  
11 United States District Judge  
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